



12-08-05

RCE # 12w

# REQUEST FOR CONTINUED EXAMINATION (RCE) Transmittal

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See the American Inventors Protections Act of 1999 (AIPA).

Application Number	09/989,261
Filing Date	November 20, 2001
First Named Inventor	Eamonn P. Hobbs, et al.
Group Art unit	3763
Examiner Name	K. Sirmons
Attorney Docket Number	ANGIO P-26 / 500622.20021

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See *Changes to Application Examination and Provisional Application Practice*, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the Amendment under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other:
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Petition For A Three Month Extension of Time (37 C.F.R. §§ 1.136 and 1.17)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other:

## 3. Fees The RCE Fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account 50-1529.
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of Time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other:
- b. ☒ Checks in the amount of: \$ 395.00 for RCE Filing Fee and \$510.00 for 3-Month Ext. is enclosed.
- c. ☐ Payment by credit card (Form PTO-2038 enclosed).

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Lloyd McAulay Reed Smith LLP (Customer No. 026418) 599 Lexington Avenue, New York, NY 10022-7650	Registration No. (Attorney/Agent)	20,423
Signature		Date	December 7, 2005

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as "Express Mail - Label No. EV 373417277 US" in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 7, 2005.

Name (Print/Type)	Ruth Montalvo	Signature		Date	December 7, 2005
-------------------	---------------	-----------	--	------	------------------

12/09/2005 JBALINAN 00000007 09989261

01 FC:2253

510.00 OP